



**UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 10**

1200 Sixth Avenue, Suite 900
Seattle, WA 98101-3140

OFFICE OF
WATER AND WATERSHEDS

July 9, 2013

Kevin Freeman
Project Coordinator
ARCADIS
695 N. Legacy Ridge Drive, Suite 200
Liberty Lake, WA 99019

Re: Draft Project Plan for Liberty Dairy Monitoring Well DC-03 Investigation
Administrative Order on Consent ("Consent Order")
DOCKET NO. SDWA-10-2013-0080

Dear Mr. Freeman:

The U.S. Environmental Protection Agency, Region 10 ("EPA") has completed its review of the Draft Project Plan for Liberty Dairy Monitoring Well DC-03 Investigation ("Draft Plan"), dated May 20, 2013. Section III.F.12 of the Statement of Work in the Consent Order states that this plan is to "...conduct an assessment of the area surrounding monitoring well DC-03." The Draft Plan misinterprets this requirement of the Consent Order.

The groundwater flow direction in the vicinity of the dairies is generally toward the south and slightly west (see Consent Order Appendix A Site Diagram). The Draft Plan that has been submitted proposes, without any supporting evidence, to investigate a single septic system that is located downgradient from well DC-03. This is not acceptable given that there are potential nitrate sources located upgradient of well DC-03, including application fields, lagoons, pens, and manure and silage storage areas. Based on the lack of evidence that was used to single out a downgradient septic system, and multiple lines of evidence indicating that there are several more likely and significant sources that are located hydraulically upgradient of well DC-03, EPA rejects the Draft Plan because it is incomplete.

EPA plans to provide more specific direction regarding necessary revisions to the Draft Plan when the first round of data has been obtained from the expanded monitoring well network after the new monitoring wells have been installed. This will also allow consideration of the spatial distribution of nitrate concentrations that were measured in the recently sampled residential wells. EPA expects that these two sets of data will contribute to an improved understanding of nitrate distribution in the aquifer and help inform appropriate next steps with regard to the DC-03 well investigation.

You may contact me at (206) 553-6904, or your legal counsel may contact Jennifer

MacDonald at (206) 553-8311, if you have any questions regarding this letter.

Sincerely,



Eric Winiecki
EPA Project Coordinator
Office of Water and Watersheds

cc: Jennifer MacDonald
Rene Fuentes